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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/742,378	12/22/2000	Dannic E. Martin	BS00-004	9400
28970	7590	03/15/2004	EXAMINER ELAHEE, MD S	
SHAW PITTMAN IP GROUP 1650 TYSONS BOULEVARD SUITE 1300 MCLEAN, VA 22102			ART UNIT 2645	PAPER NUMBER 8

DATE MAILED: 03/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/742,378

Applicant(s)

MARTIN, DANNIE E.

Examiner

Md S Elahee

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2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 03 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-32 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-32 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: ____.

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DETAILED ACTION

Response to Amendment

1. This action is responsive to an amendment filed 11/26/03. Claims 1-32 are pending.

Response to Arguments

2. Applicant's arguments mailed on 11/26/03 have been fully considered but are moot in view of the new ground(s) of rejection which is deemed appropriate to address all of the needs at this time.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1, 4, 5 and 8 are rejected under 35 U.S.C. 102(e) as being anticipated by Dowens et al. (U.S. Pub. No. 2002/0037074).

Regarding claim 1, Dowens teaches receiving a call from a caller (fig.5; page no 5, paragraph 0053).

Dowens further teaches verifying whether the caller is a subscriber of the service (fig.5; page no 5, paragraph 0053).

Dowens further teaches routing the caller to chat room if the caller is a subscriber (fig.5; page no 5, paragraph 0053, page no 6, paragraph 0057).

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Regarding claim 4, Dowens teaches querying whether the caller would like to make a conference call (i.e., offering the caller with two or more chat rooms to choose from) (fig.5, fig.6; page no 6, paragraphs 0062-0065).

Regarding claim 5, Dowens teaches routing the caller to a chat room selected by the caller (fig.5, fig.6; page no 5, paragraph 0053, page no 6, paragraphs 0057, 0062-0065).

Regarding claim 8, Dowens teaches retrieving information associated with the caller (page no 6, paragraph 0059).

5. Claims 19 and 22-25 are rejected under 35 U.S.C. 102(e) as being anticipated by DeSimone (U.S. Patent No. 6,175,619).

Regarding claim 19, DeSimone teaches facilitating a conversation in a chat room (i.e., public chat room) comprising a plurality of parties (i.e., chatters) (col.5, lines 17-32, 48-63).

DeSimone further teaches leading at least two parties (i.e., chatters) of the plurality of parties (i.e., chatters) to a chat room (i.e., private chat room) when Participant Authorization Code (PAC) (i.e., user ID numbers) associated with the at least two parties (i.e., chatters) are received (abstract; col.5, lines 17-63, col.6, lines 19-36).

DeSimone further teaches that the Participant Authorization Code (PAC) (i.e., user ID numbers) can be received from one or more of the at least two parties (i.e., chatters) (col.5, lines 17-63, col.6, lines 19-36).

Regarding claim 22, DeSimone teaches that each of the at least two parties (i.e., chatters) must provide his or her own Participant Authorization Code (PAC) (i.e., user ID numbers) to enter the chat room (col.5, lines 17-63, col.6, lines 19-36).

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Regarding claim 23, DeSimone teaches that one or more of the user callback numbers (i.e., ID numbers) are permanent callback numbers (i.e., ID numbers) (col.5, lines 17-63).

Regarding claim 24, DeSimone teaches that one or more of the Participant Authorization Code (PAC) (i.e., user ID numbers) are temporary identifications (col.5, lines 17-63, col.6, lines 19-36).

Regarding claim 25, DeSimone teaches that in one or more of the Participant Authorization Code (PAC) (i.e., user ID numbers) can be used only once (col.5, lines 17-63, col.6, lines 19-36).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 2, 3, 6, 7, 10, 11 and 13-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowens et al. (U.S. Pub. No. 2002/0037074) and in view of Harvey et al. (U.S. Patent No. 2002/0059379).

Regarding claim 2, Dowens fails to teach “inviting the caller to be a subscriber if the caller is not a subscriber”. Harvey teaches inviting the user to be a member if the user is not a member (page 6, paragraph 0059; ‘user’ reads on the claim ‘caller’ and ‘member’ reads on the claim ‘subscriber’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow inviting the caller to be a subscriber if

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the caller is not a subscriber as taught by Harvey. The motivation for the modification is to have doing so in order to provide a chat session.

Regarding claim 3, Dowens fails to teach “supplying the caller with a trial membership”. Harvey teaches supplying the user with a trial membership (page 6, paragraph 0059; ‘user’ reads on the claim ‘caller’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow supplying the caller with a trial membership as taught by Harvey. The motivation for the modification is to have doing so in order to provide a chat session.

Regarding claim 6, Dowens fails to teach “providing the caller with a user ID number”. Harvey teaches providing the user with a user ID number (page 7, paragraph 0063; ‘user’ reads on the claim ‘caller’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow providing the caller with a user ID number as taught by Harvey. The motivation for the modification is to have doing so in order to provide an identification to participate in the chat session.

Regarding claim 7, Dowens teaches routing the user to a private chat room when the user ID number is received from the caller (page no 6, paragraphs 0062-0065).

Regarding claims 10 and 13, Dowens fails to teach “the chat room is moderated”. Harvey teaches that the chat room is moderated (page 6, paragraphs 0057, 0059). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow the chat room be moderated as taught by Harvey. The motivation for the modification is to have doing so in order to add or remove the number of participants in the chat session.

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Regarding claim 11 is rejected for the same reasons as discussed above with respect to claims 1, 4 and 8. Furthermore, Dowens fails to teach “inviting the caller to be a subscriber if the caller is not a subscriber”. Harvey teaches inviting the user to be a member if the user is not a member (page 6, paragraph 0059; ‘user’ reads on the claim ‘caller’ and ‘member’ reads on the claim ‘subscriber’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow inviting the caller to be a subscriber if the caller is not a subscriber as taught by Harvey. The motivation for the modification is to have doing so in order to provide a chat session.

Regarding claim 14, Dowens fails to teach “moderating the one or more chat rooms using rules associated with the voice chat room service”. Harvey teaches that moderating the one or more chat rooms using rules associated with the voice chat room service (page 6, paragraphs 0057, 0059). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow moderating the one or more chat rooms using rules associated with the voice chat room service as taught by Harvey. The motivation for the modification is to have doing so in order to add or remove the number of participants in the chat session.

Regarding claim 15, Dowens teaches charging the caller for the voice chat room service (page no 5, paragraphs 0051, 0052).

Regarding claim 16, Dowens teaches that the charging step is based on time spent by the caller in the one or more chat rooms (page no 5, paragraphs 0051, 0052).

Regarding claim 17, Dowens teaches collecting a fixed fee from the caller regardless of time spent by the caller in the one or more chat rooms (page no 5, paragraphs 0051, 0052).

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Regarding claim 18, Dowens teaches prompting the caller inherently for a password (fig.5; page no 5, paragraph 0053).

8. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dowens et al. (U.S. Pub. No. 2002/0037074) and in view of Bouvier et al. (U.S. Patent No. 6,430,276).

Regarding claim 9, Dowens fails to teach “the information can be retrieved from one or more of a home location register, a visitor location register, and a service control point”. Bouvier teaches the information can be retrieved from a service control point (col.6, lines 11-13). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow the information to be retrieved from one or more of a home location register, a visitor location register, and a service control point as taught by Bouvier. The motivation for the modification is to have doing so in order to provide the information of the called party.

9. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dowens et al. (U.S. Pub. No. 2002/0037074) and in view of Harvey et al. (U.S. Patent No. 2002/0059379) and further in view of Bouvier et al. (U.S. Patent No. 6,430,276).

Regarding claim 12, Dowens in view of Harvey fails to teach “the information can be retrieved from one or more of a home location register, a visitor location register, and a service control point”. Bouvier teaches the information can be retrieved from a service control point (col.6, lines 11-13). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens in view of Harvey to allow the information to be retrieved from one or more of a home location register, a visitor location register, and a service

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control point as taught by Bouvier. The motivation for the modification is to have doing so in order to provide the information of the called party.

10. Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeSimone (U.S. Patent No. 6,175,619) and in view of Dowens et al. (U.S. Pub. No. 2002/0037074).

Regarding claim 20, DeSimone fails to teach “charging one or more of the at least two chatters with additional fees for the private chat room”. Dowens teaches charging one or more subscribers for the private chat room (page no 5, paragraphs 0051, 0052). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeSimone to allow charging one or more of the at least two chatters with additional fees for the private chat room as taught by Dowens. The motivation for the modification is to have the display in order to provide the information of the cost of the chat session.

11. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over DeSimone (U.S. Patent No. 6,175,619) and in view of Sonesh et al. (U.S. Patent No. 6,614,783).

Regarding claim 21, DeSimone fails to teach “retrieving one or more of the user ID numbers if the at least two chatters do not remember the one or more of the user ID numbers”. Sonesh teaches retrieving one or more of the user identifications if the at least two users do not remember the one or more of the user identifications (col.6, lines 54-63). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify DeSimone to allow retrieving one or more of the user ID numbers if the at least two chatters do not remember the one or more of the user ID numbers as taught by Sonesh. The motivation for the modification is to have the display in order to provide the information for verification purpose.

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12. Claim 26, 27, 31 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowens et al. (U.S. Pub. No. 2002/0037074) and in view of Trovato et al. (U.S. Patent No. 6,425,012).

Regarding claim 26 is rejected for the same reasons as discussed above with respect to claim 1. Furthermore, Dowens fails to teach “a plurality of chat rooms”. Trovato teaches that a plurality of chat rooms (col.7, lines 53-55). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow a plurality of chat rooms as taught by Dowens. The motivation for the modification is to have doing so in order to provide the conference capability.

Regarding claim 27, Dowens teaches that each of the plurality of chat rooms is associated with a conference bridge circuit (fig.5, fig.6; page no 6, paragraphs 0062-0065).

Regarding claim 31, Dowens teaches moderating conversation in one or more of the plurality of chat rooms (page no 6, paragraphs 0062-0065).

Regarding claim 32, Dowens fails to teach “transferring a caller from a first chat room to a second chat room among the plurality of chat rooms”. Trovato teaches adding a caller from a recent chat room to a new chat room among the plurality of chat rooms (col.7, lines 44-56; ‘adding’ reads on the claim ‘transferring’ and ‘recent chat room to a new chat room’ reads on the claim ‘first chat room to a second chat room’). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow transferring a caller from a first chat room to a second chat room among the plurality of chat rooms as taught by Trovato. The motivation for the modification is to have doing so in order to provide the different service based on the caller’s interest.

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13. Claims 28 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dowens et al. (U.S. Pub. No. 2002/0037074) and in view of Morris et al. (U.S. Patent No. 6,339,784).

Regarding claim 28, Dowens fails to teach “public chat rooms”. Morris teaches public chat rooms (col.4, lines 38-41). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow the public chat rooms as taught by Morris. The motivation for the modification is to have doing so in order to provide the access to chat session to all the visitors.

Regarding claim 29, Dowens fails to teach “private chat rooms”. Morris teaches private chat rooms (col.4, lines 38-41). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow the private chat rooms as taught by Morris. The motivation for the modification is to have doing so in order to provide the access to chat session to all the specific participants.

14. Claim 30 is rejected under 35 U.S.C. 103(a) as being unpatentable over Dowens et al. (U.S. Pub. No. 2002/0037074) and in view of DeSimone (U.S. Patent No. 6,175,619).

Regarding claim 30, Dowens fails to teach “leading at least two callers to a private chat room”. DeSimone teaches leading at least two callers to a private chat room (col.5, lines 34-63). Thus, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Dowens to allow leading at least two callers to a private chat room as taught by DeSimone. The motivation for the modification is to have doing so in order to provide the chat session to all the particular callers.

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Conclusion

15. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alam Elahee whose telephone number is (703) 305-4822. The examiner can normally be reached on Mon to Fri from 9:00am to 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (703) 305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 872-9306 for regular communications and for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-4750.

M.E.

MD SHAFIUL ALAM ELAHEE
March 5, 2004

Allan Hoosain
ALLAN HOOSAIN
PRIMARY EXAMINER for
Fan Tsang